

Notice of Allowability

Application No.

10/760,981

Examiner

Rodney H. Bonck

Applicant(s)

ASCHAUER, GEORGE REISCH

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments received March 13 and 14, 2006.
2. ☒ The allowed claim(s) is/are 10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

The following action is in response to the proposed amendments-after-final received March 13, 2006 and the supplemental paper received March 14, 2006. The proposed changes have been approved for entry by the examiner. Accordingly, claims 1-9 are canceled. The following action treats the merits of claim 10, as it appears in the paper filed March 14, 2006.

Allowable Subject Matter

Claim 10 is allowed.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or render obvious an interleaved wet friction plate braking device as defined in claim 10; wherein, during the part of the rotation of the friction plates where the impeller blades impact the stationary fluid reservoir, the brake plates, in combination with the area between the adjacent impellers on the friction plates, define a pressure chamber so as to impart inward flow of coolant through the grooves of the friction lining as the impeller vanes pass through the coolant in the stationary reservoir; and wherein, during the remaining part of the rotation of the friction plates, coolant is permitted to flow radially outward by centrifugal force.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

The replacement sheets of drawings were received on March 13, 2006. The examiner has approved entry of the replacement sheets.

Response to Amendment

Since claims 1-9 have been canceled and since new claim 10 is allowable for the reasons set forth above, the rejections based on 35 USC112, second paragraph, 35 USC 102(b), and 35 USC 103(a) are withdrawn.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



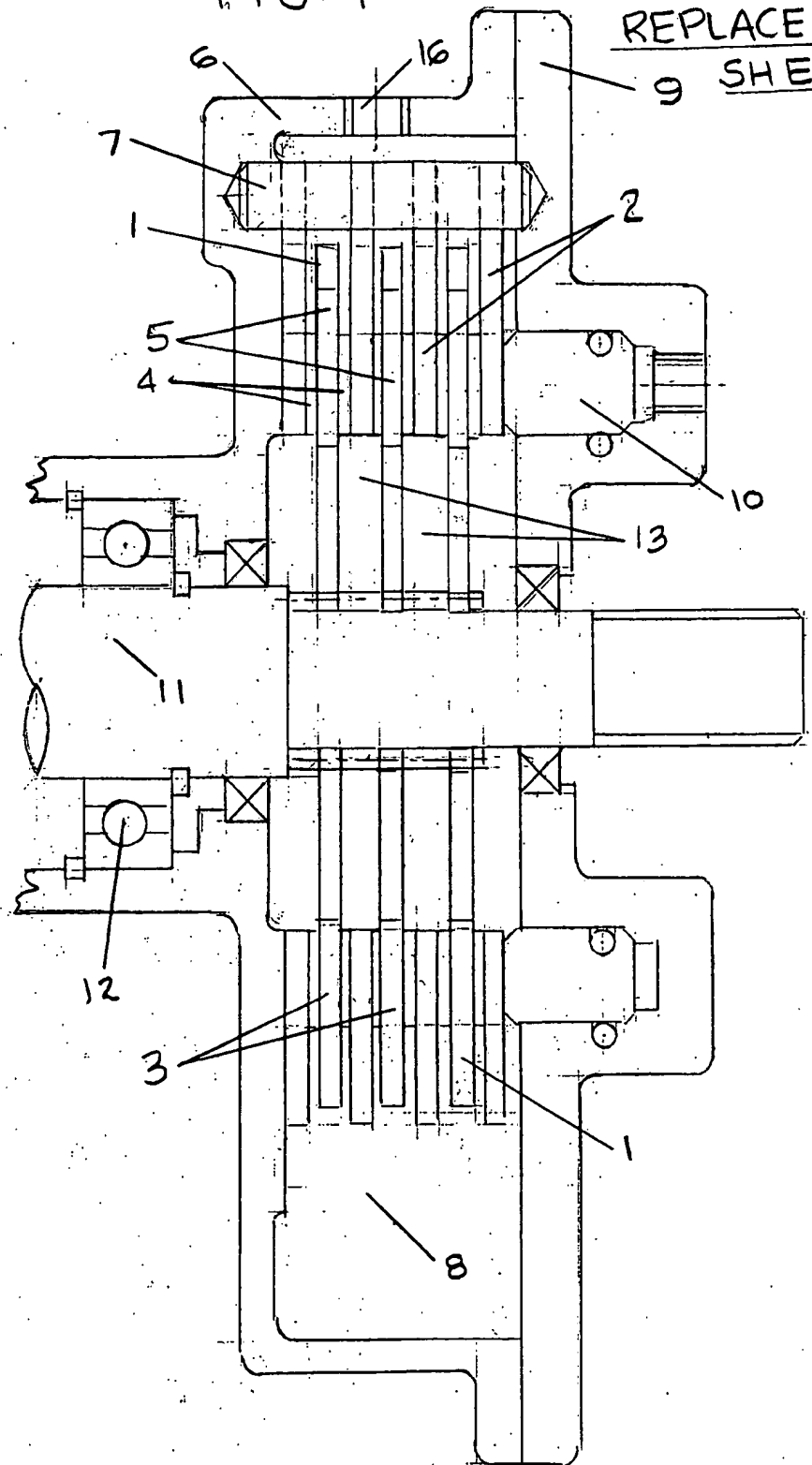
Rodney H. Bonck
Primary Examiner
Art Unit 3681

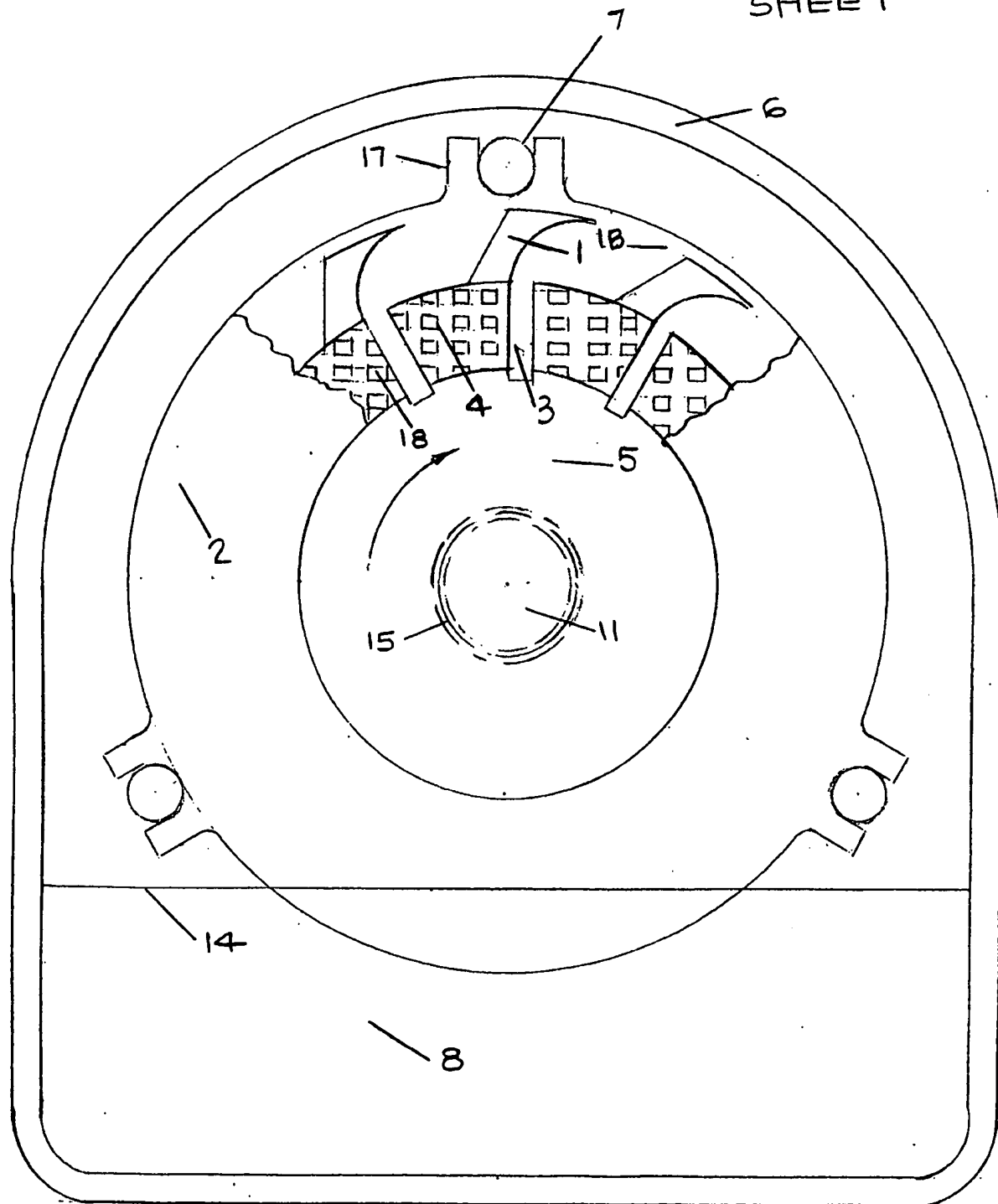
rhb
March 23, 2006

Approved
RMB
03/23/06
OIP E IAP89
MAR. 13 2006
PATENT & TRADEMARK OFFICE

FIG-1

REPLACEMENT
9 SHEET







IFW

March 7, 2006

OK to Enter
RKB
03/23/06

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Rodney H. Bonck
Primary Examiner

Subject Application 10/760,981

Please find upgraded claim pages.

- Claim 1 thru 9 are canceled.
- New Claim 10 added.

Figures 1 and 2 are resubmitted each marked "Replacement Sheet."

Sincerely,

George Reisch Aschauer
2214 Red Oak Court
Bemidji, MN 56601



18W

March 8 2006

Commissioner For Patents
P. O. Box 1425
Alexandria VA.22313-1450

Attention: Rodney H Bonck
Primary Examiner

Subject Application 10/760981

Please find Amended claim pages.
On page 11 ; the last line of claim 10, the word
rapidly has been changed to radially.

Sincerely,

George Reisch Aschauer
2214 Red Oak Court.
Bemidji MN> 56601

OK to Enter
RAB
03/23/06